

AMENDED IN ASSEMBLY JUNE 23, 2003

AMENDED IN SENATE JUNE 3, 2003

AMENDED IN SENATE MAY 7, 2003

SENATE BILL

No. 216

Introduced by Senator Sher

February 13, 2003

An act to amend Sections 2106 and 2109 of, to amend and renumber Section 2116 of, and to repeal Section 2106.5 of, the Fish and Game Code, relating to endangered species.

LEGISLATIVE COUNSEL'S DIGEST

SB 216, as amended, Sher. Endangered species: recovery strategy pilot program.

Existing law requires the Department of Fish and Game to develop and implement a recovery strategy pilot program for the Greater Sandhill crane. Existing law authorizes the Fish and Game Commission, based on recommendations from the department, to identify four additional candidate, threatened, or endangered species for which the department is required to develop and implement a recovery strategy. Under existing law, the pilot program is repealed as of January 1, 2004.

This bill would repeal the authority of the commission to identify additional species for a recovery program. The bill would authorize the department to develop and implement a recovery strategy pilot program for coho salmon, if funds are appropriated by the Legislature for that purpose. The bill would continue the existing law beyond January 1, 2004, by extending the repeal date to January 1, 2009. The bill would make conforming changes.

This bill would provide that, notwithstanding any provision of law that continuously appropriates moneys to the commission or department, no funds ~~are appropriated to~~ *may be expended by* the department or commission for purposes of the recovery strategy pilot program until the Legislature specifically appropriates funds for that purpose.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. *Section 2106 of the Fish and Game Code is*
2 *amended to read:*

3 2106. (a) The department may also develop and implement
4 a recovery strategy pilot program for coho salmon.

5 (b) Notwithstanding Section 13220 or any other provision of
6 law that continuously appropriates funds to the department or the
7 commission, no funds may be ~~appropriated to~~ *expended by* the
8 department or the commission for the purposes of this article until
9 the Legislature specifically appropriates funds for that purpose.

10 ~~SECTION 2.—~~

11 SEC. 2. Section 2106.5 of the Fish and Game Code is
12 repealed.

13 SEC. 3. Section 2109 of the Fish and Game Code is amended
14 to read:

15 2109. A recovery strategy for a species shall contain all of the
16 following information:

17 (a) An explanation of scientific knowledge and assumptions
18 regarding the biology, habitat requirements, and threats to the
19 existence of the species.

20 (b) An explanation of interim and long-term recovery goals.
21 The interim goals shall be specifically stated. The long-term goals
22 may be specifically stated if the department determines that
23 adequate information exists to reasonably identify long-term
24 goals; if not, the strategy may contain general long-term goals that
25 will be clarified as the recovery strategy is updated pursuant to
26 subdivision (g).

27 (c) A range of alternative interim and long-term conservation
28 and management goals and activities. The department shall report
29 why it prefers the activities it recommends.



1 (d) An estimate of the time and costs required to meet the
2 interim recovery goals for the species, including available or
3 anticipated funding sources, and an initial projection of the time
4 and costs associated with meeting final recovery goals. These costs
5 shall include direct and indirect costs and public and private costs.

6 (e) A description of actions and recommendations, including
7 voluntary incentives and objective criteria for delisting and
8 deregulation, if applicable, that will be needed to minimize the
9 adverse social and economic impacts of implementation of the
10 recovery strategy and a discussion of the range of recovery
11 alternatives considered in the strategy.

12 (f) A description of the following elements necessary to
13 achieve the goals of the recovery strategy:

14 (1) The availability and use of public lands for the
15 conservation, protection, restoration, and enhancement of the
16 species.

17 (2) Methods of private and public cooperation.

18 (3) Procedures and programs for notice, education, research,
19 monitoring, and strategy modification.

20 (g) The expected time necessary to meet the interim recovery
21 goals and provisions and triggers for review and amendment of the
22 strategy. If final recovery goals are not specifically stated, the
23 strategy shall contain a timetable for an update of the plan to clarify
24 the long-term goals.

25 (h) Objective measurable criteria by which to determine
26 whether the goals and objectives of the recovery strategy are being
27 met and procedures for recognition of successful recovery and
28 downlisting or delisting, if applicable.

29 (i) An implementation schedule.

30 SEC. 4. Section 2116 of the Fish and Game Code as added by
31 Chapter 974 of the Statutes of 1996 is amended and renumbered
32 to read:

33 2115.5. This article shall remain in effect only until January
34 1, 2009, and as of that date is repealed, unless a later enacted
35 statute, which is enacted before January 1, 2009, deletes or extends
36 that date. However, this section does not apply to a recovery
37 strategy that is approved or implemented pursuant to this article on
38 or before January 1, 2009, and those recovery strategies, and any

- 1 permits or memoranda of understanding relating thereto, shall
- 2 remain effective as if this article had not been repealed.

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